

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

IVAN SOLIS,

Plaintiff,

V.

**WELLS FARGO BANK, N.A.,
as Mortgage Servicer for Wells Fargo
Bank, N.A.; and W.A. MARTY
LACOUTURE, as Substitute Trustee,**

Defendants.

CIVIL ACTION NO. SA-20-CA-294-FB

**ORDER ACCEPTING REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE**

Before the Court is the Report and Recommendation of United States Magistrate Judge (docket no. 15) concerning Defendant Wells Fargo Bank, N.A.'s Motion to Dismiss and for Sanctions (docket no. 3). To date, no objections to the Report and Recommendation have been received.¹

Because no party has objected to the Magistrate Judge's Report and Recommendation, the Court need not conduct a de novo review. *See* 28 U.S.C. § 636(b)(1) ("A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings and recommendations to which objection is made."). The Court has reviewed the Report and Recommendation and finds its reasoning to be neither clearly erroneous nor contrary to law. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir.), *cert. denied*, 492 U.S. 918 (1989).

IT IS THEREFORE ORDERED that the Report and Recommendation of United States Magistrate Judge (docket no. 15) is ACCEPTED pursuant to 28 U.S.C. § 636(b)(1) such that

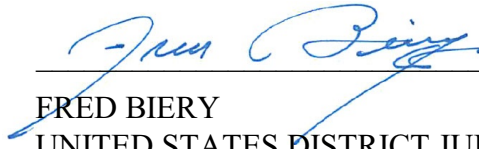
¹ Any party who desires to object to a Magistrate's findings and recommendations must serve and file his, her or its written objections within fourteen days after being served with a copy of the findings and recommendation. 28 U.S.C. § 635(b)(1). If service upon a party is made by mailing a copy to the party's last known address, "service is complete upon mailing." FED. R. CIV. P. 5(b)(2)(C). If service is by electronic means, "service is complete upon transmission." *Id.* at (E).

Defendant Wells Fargo's Motion to Dismiss and Motion for Sanctions (docket no. 3) is GRANTED in PART such that this case is DISMISSED and the Court issues SANCTIONS against plaintiff in the form of Wells Fargo's attorneys' fees and expenses. To this end, it is FURTHER ORDERED that Wells Fargo is AWARDED \$2,500 for reasonable attorneys' fees and expenses incurred in defending this lawsuit.

IT IS FINALLY ORDERED that motions pending with the Court, if any, are Dismissed as Moot and this case is CLOSED.

It is so ORDERED.

SIGNED this 23rd day of November, 2020.



FRED BIERY
UNITED STATES DISTRICT JUDGE